

- Prevention of dividing the superintendents' tasks and functions regarding the endowment if joint supervision is assigned to them.
- Justice among the children in the endowment, as in other gifts.
- Division annulment due to the extinction of the class.
- If the endower appoints a specific time for the entitlement of the yield, the right of the endowment beneficiaries is established upon its occurrence.
- If the endower appoints a specific place for delivering the yield, otherwise it is where the custom dictates its distribution.
- Legitimacy of temporal and spatial preparation in the endowment.

Key recommendations:

- Include in the regulations issues that are highly needed, such as division matters, in the endowments.
- Examine some division issues and forms that were not addressed in the research, particularly emerging issues in this field.

Closing Comment on the Research:

The research stands out for its meticulous handling of facts and the adaptation of contracts upon which its issues are built. Its results are consistent and in line with the principles upon which the judgments are based. Additionally, the research distinguishes itself by comprehending and following the statements of jurists in the issues it encompasses, supplementing them with relevant legal texts. Furthermore, it is characterized by the provision of references for each issue, making this research a comprehensive index for many endowment issues and a compilation of various matters, especially the core issues of the endowment chapter.

In the conclusion:

The researcher summarized the results derived from the investigation of this topic, amounting to ninety-one scientific findings. Following that, the researcher provided recommendations.

The main results and recommendations are as follows:

- Ownership is emphasized in specific endowments, while liberation and relinquishment are emphasized in non-specific endowments.
- The specific endowment origin that endowed for specified individuals is owned by them and the non-specific endowment is under God ownership.
- Validity and permissibility of dividing the endowment from the common property that allows division either compulsorily or voluntarily.
- The indivisible common property, some of which is endowed, is sold compulsorily at the request of one of the partners seeking division.
- The prevention of endowment division among its owners is a necessary division.
- Permission for dividing the endowment is granted if it involves two parties.
- Prevention of violating the endowment and dividing its neck or its price, owned by the heirs or the deserving.
- The superintendent may be a guardian or an agent according to the terms of the supervision contract.
- Division of supervision over the endowment's properties is not valid if the supervision is entrusted to all superintendents collectively.

In the fifth chapter:

It discussed the effects of dividing endowments, including notable issues such as:

- Effects of dividing the endowments: the effect of dividing endowments origin: Such as the necessity of division, the application of replacement rulings to the divided origin, and considerations like verifying the adequacy and benefit when replacing the suspended asset with a divided one. It also addressed the jurisdiction of the judiciary in the replacement process.
- Effects of dividing the supervision over the endowment: Such as responsibilities, not negligent, and the sharing of wage.
- Effects of dividing the benefits of the endowment: Including issues like the absence of the necessity of division, the non-termination of benefits with the death of some beneficiaries, specialization, proving the right to exploit, and the termination of division due to the deterioration of the asset.
- Rulings on taking fees for the division of the endowment, how to distribute fees among the dividers in case of multiple parties, and who bears the fees.
- Errors in division: Such as if a beneficiary emerges after the division of the yields, or if there is a defect or injustice in the division of the origin.

In the sixth and final chapter:

The researcher presented some judicial applications in the division of the endowment origin, the division of the supervision over the endowment, the division of endowment's yields, and the division of the endowment's benefits.

- The endower's requirement for dividing the yield in a specific manner.
- Conditions for dividing the yield among the descendants equally, differentially, or based on legal sharia.
- Invalidating division upon the extinction of the specified class.
- Conditions for dividing the yield if the endower specifies individuals, descriptions, or leaves it unspecified.
- Division of the yield if the endower's conditions are unknown.
- Division of the yield if the administration of the endowment's channel of expenditure is discontinued.
- Division of the remaining portion of the yield.
- Division of the yield if the designated beneficiaries are overcrowded.
- The timing and location of dividing the yield.
- Deducting the share of the building and the appraiser's wage before the division.

In the fourth chapter:

It addressed the rulings related to dividing the benefits of the endowment, with notable issues such as:

- Definition of dividing the benefits of the endowment.
- Dividing the timed benefits of the endowment.
- Dividing the spatial benefits of the endowment.
- Rulings on the difficulty of determining benefits among the beneficiaries of the endowment.

- Dividing the endowment origin based on its revenues.
- Dividing the endowment origin through the discretion of the superintendent, either initially or during replacement.
- Dividing the neck of the endowment or its value as ownership for the heirs.
- Temporary endowment, endowment with interrupted disbursement, the conditions of the divider, and identifying who is responsible for dividing the endowment origin.

As for the second chapter:

It addressed the rulings related to dividing the supervision over the endowment, with notable issues such as:

- Defining the distribution of supervision.
- The essence of the endowment's supervision.
- Distributing the supervision over the assets of the endowment.
- The responsibilities of the endowment superintendent
- Dividing the tasks of the superintendents.

In the third chapter:

It covered the definition of dividing the yields of the endowment and the rulings associated with it. Notable issues in this chapter include:

- The validity of imposing conditions by the endower in dividing the yield.
- Determining who is responsible for dividing the yield of the endowment.

5. The topic of endowment division is often surrounded by disputes and conflicts. Examining its issues and studying them can make it easier for judges to understand its rulings, aiding endowment administrators, superintendents, and beneficiaries in envisioning these rulings. This, in turn, reduces disputes and conflicts.

Highlighted Topics of the Scientific Material:

The researcher structured this material into an introduction and six chapters as follows:

Introduction:

- Defined the research terminology.
- Explored the legitimacy of division and endowment.
- Discussed the essence and adaptation of division.
- Examined the reality and adaptation of endowment.
- Addressed the ownership of the endowed property.
- Touched upon the essence and adaptation of superintendents in the introduction to one of the chapters.

In the first chapter:

The researcher covered the definition of dividing the principal of the endowment, the rulings related to it, and highlighted issues such as:

- Dividing the endowment origin upon the request of a partner, concerning what is able to be divided and what is not.
- Dividing the endowment origin among the beneficiaries and the conditions of their agreement or disagreement, including situations where one of the beneficiaries is absent.

superintendents, lawyers, researchers, and others, in a scientific manner. This is achieved through investigation, collection, and presentation of what jurists have mentioned regarding these issues and forms.

Keywords:

Division - Endowments - Wills - Estates- Inheritances - superintendents - yields - Benefit - Allocation

Importance of the Scientific Material:

1. The topic addresses the legal rulings of the endowment ritual, emphasizing the need for understanding, highlighting, and attention to these rulings in the present era.
2. It underscores the significance and impact of the endowment ritual on Muslims and the nation's development across various fields, particularly in education and knowledge.
3. The practical need for the topic is evident, as endowments involve shared financial assets with participants requiring division. The subject of endowment division, whether regarding its assets, supervision, superintendents, yields, or benefits, highlights the necessity of showcasing its rulings, given that some issues are integral to the essence of endowments and their outcomes.
4. The increasing interest in and attention to this ritual at individual, communal, and national levels, along with the focus of academic and practical entities, give this topic added importance. This emphasizes the need to keep up with its developments and enrich the academic and practical domains with its legal rulings.

The Division of Endowments: A Comparative Jurisprudential and Applied Study

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A general introduction to the author/researcher:

He is a faculty member at the College of Sharia and Law at Hail University, a researcher, and legal consultant in endowments and wills. Additionally, he is a contributing researcher in the redevelopment of the Sharia standard for endowments issued by the Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI). Furthermore, he holds several certificates in the field of endowments, such as a certificate in the management of endowment properties and a certificate as an endowment specialist.

The general objective of the scientific paper:

Is to elucidate the jurisprudential rulings related to issues and forms of endowment division in the four Islamic jurisprudential schools. This includes matters connected to the division of the endowment's principal, its supervision, benefits, and yields. The aim is to present this information to interested parties, such as judges,